

CHAPTER 34

PROPERTY

SENATE BILL 22-059

BY SENATOR(S) Holbert, Ginal, Moreno, Priola, Scott, Smallwood;
also REPRESENTATIVE(S) Hooton and Ransom, Bacon, Bennett, Boesenecker, Gray, Jodeh, Lindsay, Ricks, Titone, Valdez A.,
Weissman.

AN ACT

CONCERNING LIMITATIONS REGARDING A PROXY THAT A UNIT OWNER IN A COMMON INTEREST COMMUNITY OBTAINS FROM ANOTHER UNIT OWNER IN THE COMMON INTEREST COMMUNITY TO VOTE ON BEHALF OF THE OTHER UNIT OWNER AT A MEETING OF THE UNIT OWNERS' ASSOCIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 38-33.3-310, **amend** (2)(b) as follows:

38-33.3-310. Voting - proxies. (2) (b) If a unit is owned by more than one person, each owner of the unit may vote or register a protest to the casting of votes by the other owners of the unit through a duly executed proxy. A unit owner may not revoke a proxy given pursuant to this section except by actual notice of revocation to the person presiding over a meeting of the association. A proxy is void if it is not dated or purports to be revocable without notice. A proxy terminates eleven months after its date, unless ~~it provides otherwise~~ THE PROXY ITSELF INDICATES AN EARLIER TERMINATION DATE.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(2) This act applies to unit owners' association meetings occurring on or after the applicable effective date of this act.

Approved: March 21, 2022